

05-23-02

3731

Docket No. CRD-991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gregg Sutton et al.

Serial No. : 10/083,868

Art Unit:

Filed : February 26, 2002

Examiner:

For : VASCULAR FILTER SYSTEM FOR CARDIOPULMONARY BYPASS

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e)  
(attached); or

☐ Please charge Deposit Account No. 10-0750/ /  
the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e)  
(attached); or
- ☐ Please charge Deposit Account No. 10-0750/ /  
the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD-991/CJE. This form is submitted in triplicate.

Respectfully submitted,



---

Carl J. Evens  
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Attorney for Applicants

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New Brunswick, NJ 08933-7003  
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DATED: May 22, 2002



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STATEMENT BY APPLICANT**

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Sheet 1 of 9

Application Number	10/083,868
Filing Date	February 26, 2002
First Named Inventor	Sutton
Group Art Unit	
Examiner Name	
Attorney Docket Number	CRD-0991

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		3,435,824		Gamponia	4/1/69	
		3,889,685		Miller Jr., et al.	6/17/75	
		3,952,747		Kimmell, Jr.	4/27/76	
		4,230,119		Blum	10/28/80	
		4,349,029		Mott	9/14/82	
		4,425,908		Simon	1/17/84	
		4,494,531		Gianturco	1/22/85	
		4,545,390		Leary	10/8/85	
		4,619,246		Molgaard-Nielsen et al.	10/28/86	
		4,619,274		Morrison	10/28/86	
		4,688,553		Metals	8/25/87	
		4,706,671		Weinrib	11/17/87	

**FOREIGN PATENT DOCUMENTS**

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		EP	0 737450	A1	Cordis Europa N.V.	10/16/1996		
		EP	0 791 340	A1	Cordis Corporation	8/27/1997		
		FR	2 606 642	A1	Michel Camus et al	5/20/1998		
		FR	2 652 267	A1	Prothia Sarl	3/29/1991		
		PCT	WO 96/01591	A1	Microvena Corporation	1/25/1996		
		SU	764,684	A1	National Medical University of Chelyabinsk	9/25/1980		
		UK	2,020,557	A1	Willy Rusch GmbH & Co.	11/21/1978		

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Sheet 2 of 9

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		Number	Kind Code <sup>2</sup> (if known)			
		4,723,549		Wholey et al.	2/9/88	
		4,727,873		Mobin-Uddin	3/1/88	
		4,781,177		Lebigot	11/1/88	
		4,790,812		Hawkins, Jr., et al.	12/13/88	
		4,790,813		Kensey	12/13/88	
		4,793,348		Palmaz	12/27/88	
		4,794,928		Kletschka	1/3/89	
		4,832,055		Palestrant	5/23/89	
		4,842,579		Shiber	6/27/89	
		4,873,978		Ginsburg	10/17/89	
		4,884,573		Wajay et al.	12/5/89	
		4,921,484		Hillstead	5/1/90	

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				

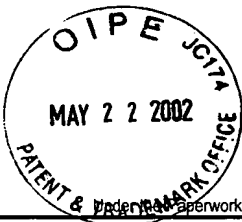
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Application Number	10/083,868
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		Number	Kind Code <sup>2</sup> (if known)			
		4,957,501		Lahille et al.	9/18/90	
		4,969,891		Gewertz	11/13/90	
		4,990,156		Lefebvre	2/5/91	
		5,011,488		Ginsburg	4/30/91	
		5,053,008		Bajaj	10/1/91	
		5,059,205		El-Nounou et al.	10/22/91	
		5,092,839		Kipperman	3/3/92	
		5,095,915		Engelson	3/17/92	
		5,108,419		Reger et al.	4/28/92	
		5,133,733		Rasmussen et al.	7/28/92	
		5,152,777		Goldberg et al.	10/6/92	
		5,190,540		Lee	3/2/93	

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				

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Sheet 4 of 9

Application Number	10/083,868
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		Number	Kind Code <sup>2</sup> (if known)			
		5,201,757		Heyn et al.	4/13/93	
		5,242,462		El-Nounou et al.	9/7/93	
		5,279,546		Mische et al.	1/18/94	
		5,324,304		Rasmussen	6/28/94	
		5,329,942		Gunther et al.	7/19/94	
		5,413,586		Dibie et al.	5/9/95	
		5,421,832		Lefebvre	6/6/95	
		5,496,277		Termin et al.	3/5/96	
		5,531,788		Dibie et al.	7/2/96	
		5,549,626		Miller et al.	8/27/96	
		5,632,760		Sheiban et al.	5/27/97	
		5,662,631		Marx	9/2/97	

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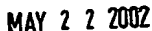
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<b>Application Number</b>	10/083,868
<b>Filing Date</b>	February 26, 2002
<b>First Named Inventor</b>	Sutton
<b>Group Art Unit</b>	
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		Number	Kind Code <sup>2</sup> (if known)			
		5,848,964		Samuels	12/15/98	
		5,876,367		Kaganov et al.	3/2/99	
		5,902,263		Patterson et al.	5/11/99	
		5,910,154		Tsugita et al.	6/8/99	
		6,001,118		Daniel et al.	12/14/99	
		6,013,093		Nott et al.	1/11/00	
		6,051,014		Jang	4/18/00	
		6,053,932		Daniel et al.	4/25/00	
		6,059,814		Ladd	5/9/00	
		6,059,825		Hobbs et al.	5/9/00	
		6,074,357		Kaganov et al.	6/13/00	
		6,080,178		Meglin	6/27/00	

## FOREIGN PATENT DOCUMENTS

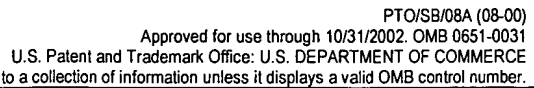
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		Number	Kind Code <sup>2</sup> (if known)			
		6,126,673		Kim et al.	10/3/00	
		6,152,946		Broome et al.	11/28/00	
		6,165,179		Cathcart et al.	12/26/00	
		6,165,200		Tsugita et al.	12/26/00	
		6,168,604		Cano	1/2/01	
		6,179,859		Bates et al.	1/30/01	
		6,179,861		Khosravi et al.	1/30/01	
		6,187,015		Brenneman	2/13/01	
		6,203,561		Ramee et al.	3/20/01	
		6,214,025		Thistle et al.	4/10/01	
		6,221,096		Aiba et al.	4/24/01	
		6,241,746		Bosma et al.	6/5/01	

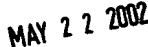
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Application Number	10/083,868
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Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

 $\tau^2$ 

A. Cragg et al., A NEW PERCUTANEOUS VENA CAVA FILTER, AJR, 141, September 1983, pp. 601-604

A. Cragg et al., NONSURGICAL PLACEMENT OF ARTERIAL  
ENDOPROSTHESIS; A NEW TECHNIQUE USING NITINOL WIRE, AJR,  
APRIL 1983, p. 261-263

Eichelter, et al., PROPHYLAXIS OF PULMONARY EMBOLISM, Archives of Surgery, Vol. 97, August 1968, p. 348 et seq.

G.Lund et al., LONG-TERM PATENCY OF THE DUCTUS ARTERIOSUS AFTER BALLOON DILATATION: AN EXPERIMENTAL STUDY, AJR, September 1983, p. 772

Greenfield, et al., A NEW INTERCAVAL FILTER PERMITTING CONTINUED FLOW AND RESOLUTION OF EMBOLI, *Surgery*, Vol. 73, No. 4, pp. 599-606

M. H. Wholey et al, PTA AND STENTS IN THE TREATMENT OF  
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Suppl. E. 1996. pp. 25E - 30E

Topol, Eric J., et al. "Recognition of the Importance of Embolization in Atherosclerotic Vascular Disease" *American Heart Journal* 2000

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